

Remarks

Claims 23-26 are new herein. Claims 1-3, 9, 11-13, 19 and 21-22 are cancelled herein. Claims 4-8, 10, 14, 16-18 and 20 are amended herein. Claims 4-8, 10, 14-18, 20 and 23-26 remain pending in the Application.

Examiners Amendment

In the Office Action, the Examiner's amendment to the record appears. Applicant has reviewed the Examiner's amendment and finds them acceptable.

Rejection under 102(e)

Claims 1-8 and 11-18

In the Office Action, the Examiner rejected Claims 1-8 and 11-18 under 35 USC 102(e) as being anticipated by Weber et al. (6343212). Applicant has reviewed Weber et al. and respectfully states that Weber et al. do not anticipate the present invention for the following rationale.

Applicant respectfully states that Independent Claims 1 and 11 are canceled herein. Therefore, the rejection with respect to Claims 1 and 11 are moot.

With respect to now Independent Claims 10 and 20, Applicant respectfully states that Claims 10 and 20 include the feature "transmitting the non-audible control signal as a directional RF signal." As the Examiner has stated, Weber et al. is silent to mention the feature.

Therefore, Applicant respectfully submits that Weber et al. does not anticipate the present claimed invention as recited in now Independent Claims 10 and 20, and as such, Claims 10 and 20 are in condition for allowance.

Accordingly, Applicant also respectfully submits that Weber et al. does not anticipate the present claimed invention as recited in Claims 4-8 and 23-24 which are dependent on an allowable Independent Claim 10 and Claims 14-18 and 25-

26 which are dependent on an allowable Independent Claim 20 and that Claims 4-8, 14-18 and 23-26 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 4-8, 14-18 and 23-26 are allowable as pending from an allowable base Claim.

Rejection under 103(a)

Claims 9-10 and 19-20

In the Office Action, the Examiner rejected Claims 9-10 and 19-20 under 35 USC 103(a) as being unpatentable over Weber et al. in view of Kamel et al. (6496531). Applicant has reviewed the cited references and respectfully submits that the present invention is not rendered obvious over Weber et al. in view of Kamel et al. for the following rationale.

Applicant respectfully states that Claims 9 and 19 are canceled herein. Therefore, the rejection with respect to Claims 9 and 19 are moot.

With respect to Claims 10 and 20, Applicant respectfully points out that Claims 10 and 20 include the feature "transmitting the non-audible control signal as a directional RF signal." As the Examiner has stated, Weber et al. is silent to mention the limitation.

Applicant respectfully disagrees that Kamel et al. overcome the shortcomings of Weber et al. Applicant understands Kamel et al. to teach a method for controlling forward transmit power in a wireless system. Applicant does not understand Kamel et al. to teach a method of utilizing RF signals to automatically modify mode settings of a cell phone (directional or otherwise). Moreover, Applicant does not understand Kamel et al. to teach utilizing directional RF signals to provide any type of boundary line for cell phone operation.

Therefore, Applicant respectfully submits that Weber et al. alone or in conjunction with Kamel et al. does not teach nor render obvious the present claimed invention as recited in now Independent Claims 10 and 20, and as such, Claims 10 and 20 are in condition for allowance. Accordingly, Applicant also respectfully submits that Weber et al. alone or in conjunction with Kamel et al. does not teach nor render obvious the present claimed invention as recited in Claims 4-8 and 23-24 which are dependent on an allowable Independent Claim 10 and Claims 14-18 and 25-26 which are dependent on an allowable Independent Claim 20 and that Claims 4-8, 14-18 and 23-26 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 4-8, 14-18 and 23-26 are allowable as pending from an allowable base Claim.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 4-8, 10, 14-18, 20 and 23-26.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,
Wagner, Murabito & Hao LLP

Date: 8/20/04

A handwritten signature in black ink, appearing to read "John P. Wagner, Jr.", is written over a horizontal line.

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